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February 17, 2015

MEMO ENDORSED

All proceedings are stayed pending the determination of the motion to disqualify.

Cullen McMahon

2.23.15

By Hand Delivery

The Honorable Colleen McMahon
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Maricultura del Norte, S. de R.L. de C.V., et al. v. World Business Capital, Inc., et al., 14 Civ. 10143 (CM) (KNF)

Dear Judge McMahon:

I write on behalf of defendants AMERRA Capital Management, LLC (“AMERRA”) and Craig A. Tashjian, pursuant to the provision of Your Honor’s Rules (the “Rules”) that permits letters to Chambers in certain circumstances, in order to raise an important threshold matter in this action.

On Friday afternoon, February 13, 2015, plaintiffs filed a motion to disqualify Sidley Austin LLP as counsel to AMERRA and Mr. Tashjian. Today, the next court day, we filed an opposing memorandum of law and accompanying declarations on AMERRA’s and Mr. Tashjian’s behalf. In accordance with Rule IV.A., enclosed are courtesy copies of these opposing papers, and, for the Court’s convenience, also plaintiffs’ moving papers, insofar as we have not seen transmittal by plaintiffs of courtesy copies. In accordance with Rule IV.G, we request oral argument at the Court’s earliest convenience.

In addition to the importance to the Court and parties of determining promptly plaintiffs’ motion to disqualify, the Stipulated Order dated January 30, 2015 provides that all defendants shall respond to the Complaint by February 24 and sets forth a briefing schedule for defendants’ anticipated motions to dismiss. In light of plaintiffs’ motion and defendants’ intention to coordinate their motions to dismiss efficiently, and subject to Your Honor’s approval, counsel for all parties concur that defendants’ time to respond to the Complaint and associated briefing schedule be adjourned until reasonable dates following determination of the motion to disqualify.



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We further note that, pursuant to the Order dated January 12, 2015, the initial pretrial conference in this action is scheduled for February 27 at 11:45 a.m. In view of the foregoing, we respectfully request that the Court consider setting the conference following determination of the motion to disqualify.

We are available for a telephonic or in-person conference if Your Honor wishes to discuss these matters with counsel.

Respectfully submitted,

A handwritten signature in black ink that reads "Steven M. Bierman".

Steven M. Bierman

Enclosures

cc: All Counsel (by email, without enclosures)